



*United States Attorney
Southern District of New York*

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**U.S. ANNOUNCES A NEW ARREST, A GUILTY PLEA AND AN
INDICTMENT IN BIGGEST I.D. THEFT CASE IN NATION'S HISTORY**

JAMES B. COMEY, the United States Attorney for the Southern District of New York, announced the arrest this morning of a fourth defendant, EMANUEL S. EZEDIARO, in the largest identity theft case known to U.S. authorities. Mr. COMEY also announced that LINUS BAPTISTE had entered a guilty plea in Manhattan federal court in the underlying case, and that a 22-count Indictment charging PHILIP CUMMINGS with various crimes related to the scheme had been returned by a grand jury.

In a Complaint unsealed today, the United States charged that from 2001 through 2002, EMANUEL S. EZEDIARO, a/k/a "Manny," and others supplied lists of consumers' names, with addresses and/or Social Security numbers, to BAPTISTE in the Bronx and asked for credit reports in those consumers' names. EZEDIARO and these other co-conspirators allegedly offered to pay up to \$60 per credit report provided by BAPTISTE in the scheme. BAPTISTE understood

that EZEDIARO and these other co-conspirators intended to perpetrate fraud in accounts held by these consumers and to engage in other forms of identity theft and fraud, it was charged. All told, as alleged in the Complaint, EZEDIARO and these others provided tens of thousands of consumer names and hundreds of thousands of dollars to BAPTISTE from 2000 through October 2002, in return for credit reports in those consumers' names. BAPTISTE, in turn, purportedly split the money with CUMMINGS.

BAPTISTE, in turn, relied on CUMMINGS, who previously worked as a Help Desk employee at Telecommunications Data, Inc. ("TCI"), a technology company that provided its customers with computerized access to the Credit Bureaus, it was charged. As a Help Desk employee, CUMMINGS had access to confidential passwords and subscriber codes pertaining to TCI customers who used TCI software to download consumer credit histories from Experian, Equifax, and TransUnion in connection with their legitimate business needs, according to the charges. Together, BAPTISTE and CUMMINGS allegedly accessed the Credit Bureaus and downloaded more than 30,000 consumer credit histories from in or about early 2000 through in or about October 2002.

The Complaint also alleges that documents found pursuant to a search of BAPTISTE's home included a ledger that appeared to document amounts paid and/or owed by EZEDIARO and others to BAPTISTE for credit reports provided in the scheme. According to

the Complaint, EZEDIARO has a criminal history that reflects his use of numerous other identities as well as convictions for various offenses consistent with identity theft, such as credit card fraud, bank fraud and possession of forged instruments. EZEDIARO is expected to be presented before a Magistrate Judge in Manhattan federal court this afternoon.

Separately, BAPTISTE entered a guilty plea to four counts of conspiracy, wire fraud, identity fraud, and access device fraud in connection with the scheme. CUMMINGS was also indicted on 22 related counts of conspiracy, wire fraud, computer fraud and forfeiture. CUMMINGS is scheduled to be arraigned United States District Judge GEORGE B. DANIELS on Wednesday, January 29, 2003, at 2:15 P.M.

If convicted, CUMMINGS and EZEDIARO each face, with respect to each wire fraud charge, a maximum term of 30 years' imprisonment and a maximum fine of \$1 million or twice the gross gain or loss resulting. CUMMINGS and EZEDIARO also each face, with respect to the conspiracy charge, a maximum term of 5 years' imprisonment, a maximum fine of \$250,000 or twice the gross gain or loss resulting from the crime. With respect to each computer fraud charge, CUMMINGS faces a maximum term of 5 years' imprisonment and a maximum fine of 250,000 or twice the gross gain or loss resulting from the crime.

Mr. COMEY praised the investigative efforts of the Federal Bureau of Investigation and thanked the United States Secret Service and the United States Postal Inspection Service for their assistance in the investigation. Mr. COMEY also stated that the investigation is continuing.

Assistant United States Attorney KATHERINE M. CHOO is in charge of the prosecutions.

The charges contained in the Complaint filed against EZEDIARO and the Indictment against CUMMINGS are merely accusations, and the defendants are presumed innocent unless and until proven guilty.

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